

IN THE UNITED STATES DISTRICT COURT OF  
NEW MEXICO

Barbara Andersen  
Plaintiff

v.  
Forrest Fenn

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)  
)

Case 20-CV-553-WJ-JFR

**MOTION TO REQUEST A TELEPHONIC HEARING RELATIVE TO THE**  
**PENDING MOTION TO VOLUNTARILY DISMISS**  
**OR, ALTERNATIVELY, STAY**

Andersen requests a hearing pursuant to Local Rule 7.6 relative to her pending motion for voluntarily dismissal or, alternatively, to stay. In support of her motion, Andersen states as follows:

1. This Court issued an order today relative to Andersen's communication with this Court.

2. For clarity in the record, Andersen called chambers upon transfer to this Court to request a hearing given that this Court was newly assigned and her concerns expressed in the motion.

3. In that call, Andersen was directed by staff to send this Court a detailed e-mail along with her proposed order in lieu of her request for a hearing. While Andersen had never encountered this before in Illinois, Andersen did not consider the matter ex parte communications with this Court in that this Court's staff invited same. Andersen then sent in the detailed e-mail pursuant to her conversation. Andersen was not directed to this Court's scheduling clerk in her call.

4. Given this Court's order from today, Andersen requests a hearing relative to her motion to voluntarily dismiss or alternatively stay so that she may express her concerns directly with this Court.

5. Andersen intended no impropriety in her communication with this Court.

Wherefore, Andersen requests that this Court order a telephone hearing relative to Andersen's request to voluntarily dismiss or alternatively stay this litigation.

Barbara Andersen

/s/ Barbara Andersen

Barbara Andersen, 6256000  
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**CERTIFICATE OF SERVICE**

Barbara Andersen hereby certifies that on February 2, 2021 the **PLAINTIFFS' MOTION TO VOLUNTARILY DISMISS COMPLAINT OR, ALTERNATIVELY, TO STAY** was filed and delivered via the ECF filing system to:

Service list:

karls@sommerkarnes.com

/s/Barbara Andersen\_\_\_\_\_

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(Filed remotely from 8860 Dawn Haven Road, Northport, Michigan.)